

# DESOTO COUNTY BOARD OF SUPERVISORS

## BOARD MEETING MINUTES

### MARK GARDNER, PRESIDENT PRESIDING

August 5, 2013

#### A. CALL TO ORDER

The August 5, 2013 meeting of the DeSoto County Board of Supervisors was called to order by Supervisor Mark Gardner, Board President.

Sheriff Bill Rasco of the DeSoto County Sheriff's Department was present and opened the DeSoto County Board of Supervisors meeting in a regular session to hear all business before the Board of Supervisors. The following officials were present:

Supervisor Jessie Medlin	District 1
Supervisor Mark Gardner	District 2
Supervisor Bill Russell	District 3
Supervisor Lee Caldwell	District 4
Supervisor Harvey Lee	District 5
Sheriff Bill Rasco	Sheriff
W. E. Sluggo Davis	Chancery Clerk
Vanessa Lynchard	County Administrator
Tony Nowak	Board Attorney

#### B. INVOCATION

Mr. John Engstrom of the Fellowship of Christian Athletes presented the Invocation.

#### C. PLEDGE OF ALLEGIANCE

#### D. 9:00 a.m. Public Hearing for Tax Protests

In accordance with Mississippi State Law, Supervisor Jessie Medlin made the motion to open the Public Hearing for real and personal property assessments rolls to allow the public to address the Board of Supervisors on any issue relating to valuation for the 2013 tax roll as previously presented by the DeSoto County Tax Assessor on the 1<sup>st</sup> Monday of July 2013. Supervisor Harvey Lee seconded the motion.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

County Administrator Vanessa Lynchard said their office did not receive any property tax protests.

Pieter Zee, Commercial Appraiser for the Tax Assessor's Office said they had not received any protests although he received a phone call from a representative of West Wind Apartment complex in Horn Lake. Mr. Zee said they told him they were sending the protest by FedEx but the Tax Assessor's Office did not receive the protest and 9:00 was the deadline.

Mr. Zee said there were a few protests but none that had any basis.

Chancery Clerk Sluggo Davis said there was a protest by Rolling Hills and he signed for it before

9:00 a.m. this morning.

Later in the meeting Mr. Zee returned to discuss the protest for Rolling Hills. Mr. Zee said this issue has been resolved and confirmed that all necessary adjustments were already included in the final rolls. Mr. Zee said the values were lowered because of capital improvements.

Supervisor Bill Russell made the motion and Supervisor Jessie Medlin seconded the motion to close the Public Hearing for 2013 Tax Protests.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

Supervisor Harvey Lee made the motion and Supervisor Lee Caldwell seconded the motion to accept the final tax rolls for Real & Personal Property Assessments for DeSoto County for the 2013 tax year as presented by Tax Assessor Parker Pickle and approve the Board President to sign the Board Order.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

**See Exhibit D**

#### **E. CITIZENS REMARKS & PRESENTATIONS**

Supervisor Mark Gardner asked if there was anyone present in the audience who wished to address the Board regarding an item not on the Agenda.

No one came forward.

#### **F. APPROVAL OF JULY MINUTES**

The Board of Supervisors considered the minutes for July as presented.

The official minutes of the Board of Supervisors were read for the month of July 2013.

Supervisor Lee Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to accept the minutes of the Board of Supervisors for July 2013, as presented this date with changes previously submitted, pursuant to Section 19-3-27 of the Mississippi Code of 1972, annotated.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

**See Exhibit F**

#### **G. APPROVAL OF AGENDA: ADDITIONS AND DELETIONS**

Supervisor Mark Gardner asked if there was anyone who wished to add or delete items to the Agenda.

The following requests were made to add to the Agenda:

1. Environmental Services Manager Ray Laughter requested adding Lewisburg Park at Hawks Crossing – Pond Maintenance
2. Planning Director Ted Garrod requested adding Flood Insurance Map to the Planning Agenda
3. Chief Financial Officer Tom Arnold requested adding the following
  - a. Late Bills
    - 1) Stegall Notary Renewal
    - 2) WILCO Services, LLC
    - 3) Southern Thunder
    - 4) Stenograph Maintenance Contract
  - b. Discussion regarding credit card usage for public billing for Planning Department and Emergency Services
4. Grants Administrator: Three grants
  - a. 2014 Impaired Driving grant (D.U.I. Grant)
  - b. Homeland Security Grant Award for Emergency Services for Task Force Coordinator Expenses
  - c. Homeland Security Grant Award for Emergency Services for Task Force Funds
  - d. Request for Board President to sign Cooperative Agreement for Homeland Security Grants
5. County Administrator requested deleting J.8.c
6. Supervisor Jessie Medlin requested discussion regarding NACO providing dental insurance and prescriptions to supervisors. Supervisor Lee Caldwell said that NACO would come to talk to the Board.
7. Supervisor Bill Russell added Advertising County Resources: DeSoto County Prayer Breakfast at the Landers Center
8. Board Attorney Tony Nowak requested adding the following:
  - a. Agreement with Marshall County for DeSoto County Sheriff to house inmates
  - b. Possible executive session discussion - Andrews Park
  - c. Litigation for a possible executive session discussion – Dandre Langston
  - d. Litigation for a possible executive session discussion - Fred Smith
  - e. Agreement with Mr. Al Williams for temporary easement
9. County Administrator Vanessa Lynchard requested adding the following items:
  - a. House of Grace

b. Air Quality

c. Tax Collector: Budget Amendment

d. Litigation for a possible executive session discussion on emergency shelter

10. Supervisor Jessie Medlin requested litigation for a possible executive session discussion on Kirk Road

11. Supervisor Lee Caldwell requested adding invitation to Board of Education ROTC Award

12. Chancery Clerk Sluggo Davis requested adding Rolling Hills LLC Tax Appeal

Supervisor Lee Caldwell made the motion and Supervisor Harvey Lee seconded the motion to approve the Agenda with the additions set forth above.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

**1. Environmental Services Manager Ray Laughter requested adding Lewisburg Park at Hawks Crossing – Pond Maintenance**

Environmental Services Manager Ray Laughter said there is a bond in place in the amount of \$25,000 for the Lewisburg Park and a lot of development has been done on the pond. Mr. Laughter said he was at the Park on Friday and it really looks good. He said they have agreed to mow it one last time.

Board Attorney Tony Nowak said he has worked with matters concerning the subdivision for a few years. He said he has worked with their attorney regarding the easements and final plat. Issues regarding park access were discussed in general.

Supervisor Harvey Lee made the motion and Supervisor Jessie Medlin seconded the motion to approve accepting the bond after the final mowing around the pond has been done.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

Supervisor Harvey Lee said he does not want easements coming through the subdivision. He said someone needs to talk to the Board of Education and DCRUA regarding an option to bring in equipment from the back side of the property. Supervisor Lee said he wants to make sure the children in the neighborhood are safe. Supervisor Lee said he would like to compose a committee to ensure the easements will allow county equipment to come through safely.

Supervisor Jessie Medlin asked if the playground had been installed. Mr. Laughter said no.

Mr. Nowak said they gave the Board of Supervisors approximately \$70,000 for the purpose of playground.

Supervisor Harvey Lee made the motion and Supervisor Mark Gardner seconded the motion to

form a committee to work with DeSoto County Regional Utility Authority and the Board of Education for easements for access to the park for public use and maintenance; appoint committee members Supervisor Harvey Lee, Supervisor Lee Caldwell, Environmental Services Manager, Ray Laughter, Mike Kennedy and Assistant Engineer Scott Young of the Road Department, Planning Director Ted Garrod and Board Attorney Tony Nowak to work on the matter.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

**2. Planning Director Ted Garrod requested adding Flood Insurance Map to the Planning Agenda.** This item was heard on the Planning Commission Agenda.

**3. Chief Financial Officer Tom Arnold requested adding the following:**

Supervisor Jessie Medlin made the motion and Supervisor Harvey Lee seconded the motion to approve late bills as follows;

**1) Stegall Notary Renewal - \$111.50**

**2) WILCO Services, LLC - \$750.00**

**3) Southern Thunder - \$1,705.61**

**4) Stenograph Maintenance Contract - \$599.00**

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

**See Exhibit G.3**

**b. Discussion regarding credit card usage for public billing for Planning Department and Emergency Services**

Chief Financial Officer Tom Arnold said that Planning Director Ted Garrod mentioned setting up a credit card machine in Planning for easier payment for permits by builders, residents etc. Mr. Arnold said the Planning Department could use one, Chancery Clerk's office would use one for land redemptions and Emergency Services could use one for ambulance and other fees. He said they all met with Cindy Knight of First Data Corporation and there is no cost to the county for use of the machine. The consumer pays the charges and it is a month to month service with no contract.

Supervisor Mark Gardner said he received a call from a constituent asking why permit fees could not be paid with credit cards in the county. He said they have to drive to the county because we do not have a credit card machine set up.

Mr. Arnold said the municipalities do use these machines. He said that Deputy Director Emergency of Services Chris Olson said it would certainly be advantageous for EMS.

Chancery Clerk Sluggo Davis asked if delinquent taxes could be allowed to be paid at the courthouse by this credit card system. Mr. Arnold said he did not know the procedure and he did

not know a reason why not.

Mr. Arnold said that Board Attorney Tony Nowak had reviewed the agreement.

Supervisor Jessie Medlin made the motion and Supervisor Harvey Lee seconded the motion to approve the agreement for a credit card system for Emergency Services, Planning Department and to add the Chancery Clerk's office for land redemptions and the Board President to sign the agreement.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

**See Exhibit G.3.b**

#### **4. Grants Administrator: Three grants**

##### **a. 2014 Impaired Driving Grant (D.U.I. Grant)**

Supervisor Harvey Lee made the motion and Supervisor Lee Caldwell seconded the motion to approve accepting the 2014 Impaired Driving grant (D.U.I. Grant), project number MOHS MD14-117-1 effective October 1, 2013 in the amount of \$157,432.69 with no county match, and approve the Board President to sign the documents.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

**See Exhibit G.4.a**

##### **b. Homeland Security Grant Award for Emergency Services for Task Force Coordinator Expenses**

Supervisor Harvey Lee made the motion and Supervisor Lee Caldwell seconded the motion to approve the Homeland Security Grant Award for Emergency Services for Task Force Coordinator Expenses, grant number M11HS017T, to cover travel expenses for Fred Randle, Chief Bobby Storey and Deputy Chief Chris Olson; the purchase of equipment, for training, exercise management and administrative costs as detailed in the Department of Homeland Security Guidelines, in the amount of \$11,000 and authorize the Board President to sign the documents.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

**See Exhibit G.4.b**

##### **c. Homeland Security Grant Award for Emergency Services for Task Force Funds**

Supervisor Harvey Lee made the motion and Supervisor Lee Caldwell seconded the motion to approve accepting the Fiscal Year 12 ODP Homeland Security Grant, number 12HS017T which goes with grant number M11HS017T previously approved under Agenda item number **G.4.b**, to cover travel expenses for Fred Randle, Chief Bobby Storey and Deputy Chief Chris Olson; the purchase of equipment, for training, exercise management and administrative costs as detailed in the Department of Homeland Security Guidelines in the amount of \$55,000 with no county match and the Board President to sign the documents.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

**See Exhibit G.4.c**

**d. Request for Board President to sign Cooperative Agreement for Homeland Security Grants**

Supervisor Mark Gardner made the motion and Supervisor Harvey Lee seconded the motion to authorize the Board President to sign the Cooperative Agreement for Homeland Security Grants.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

**See Exhibit G.4.d**

**5. County Administrator requested deleting item J.8.c**

**6. Supervisor Jessie Medlin requested discussion regarding NACO providing dental insurance and prescriptions to supervisors.** Supervisor Lee Caldwell said that NACO would come and talk to the Board.

**7. Supervisor Bill Russell added Advertising County Resources: DeSoto County Prayer Breakfast at the Landers Center**

Supervisor Bill Russell made the motion and Supervisor Harvey Lee seconded the motion to approve contributing \$250 from Advertising County Resources to the DeSoto County Prayer Breakfast being held at the Landers Center on October 30<sup>th</sup> at 6:45 a.m.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

**8. Board Attorney Tony Nowak requested adding the following:**

**a. Agreement with Marshall County for DeSoto County Sheriff to house inmates**

Supervisor Harvey Lee made the motion and Supervisor Jessie Medlin seconded the motion to

approve the agreement with Marshall County for the DeSoto County Sheriff's Department to house Marshall County inmates at a rate of \$30 per day per inmate.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

**See Exhibit G.8.a**

**b. Possible executive session discussion - Andrews Park.** This item was later determined to qualify for executive session.

**c. Litigation for a possible executive session discussion – Dandre Langston.** This item was later determined to qualify for executive session.

**d. Litigation for a possible executive session discussion - Fred Smith.** This item was later determined to qualify for executive session.

**e. Agreement with Mr. Al Williams for temporary easement**

Supervisor Harvey Lee made the motion and Supervisor Lee Caldwell seconded the motion to approve the agreement with Al Williams for temporary easement and the donation and delivery of 9,500 cubic yards of dirt to the County.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

**9. County Administrator Vanessa Lynchard requested add the following items:**

**a. House of Grace**

County Administrator Vanessa Lynchard said that the House of Grace has not updated their portion of the budget. There is a need for \$5,000.

Supervisor Bill Russell said the House of Grace has an immediate need for \$3,000 to cover expenses at the House of Grace. They currently have \$2,000 in the bank.

Supervisor Harvey Lee made the motion and Supervisor Bill Russell seconded the motion to approve advancing \$3,000 from the House of Grace budget for next year.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>NO</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

**b. Air Quality**

Ms. Lynchard said there will be a meeting with Air Quality on August 12<sup>th</sup>. She said we are anxious to educate the public about air quality issues and how to protect air quality. Each of the



cities will be participating in the program as well.

Ms. Lynchard said the Board previously appointed Gia Matheny and Robin Lambert to act as liaisons between the cities and the state. She said they are currently looking at grants to pay over time for them.

In addition, the Federal Government picked up on the motion to appoint Ms. Matheny and Ms. Lambert and they will be attending the meeting as well.

Ms. Lynchard said they want to reactivate the Ozone Action Committee and also have the Board members talked to two or three people and invite them to the meeting August 12<sup>th</sup> at 1:00 p.m.

Supervisor Jessie Medlin made the motion and Supervisor Lee Caldwell seconded the motion to approve to apply for the CMAC grant to cover over time pay for Gia Matheny and Robin Lambert.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

**c. Tax Collector: Budget Amendment**

Supervisor Harvey Lee made the motion and Supervisor Lee Caldwell seconded the motion to approve the budget amendment for the Tax Collectors Department for the cost of reworking the tax forms to follow guidelines of the Attorney General's opinion in the amount of \$2,634.31 paying from ending cash and as described in Exhibit J.9.c.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

**See Exhibit G.9.c**

**d. Litigation for a possible executive session discussion on emergency shelter.** This item was later determined to qualify for executive session.

**10. Supervisor Jessie Medlin requested litigation for a possible executive session discussion on Kirk Road.** This item was later determined to qualify for executive session.

**11. Supervisor Lee Caldwell requested adding invitation to Board of Education ROTC Award**

Supervisor Lee Caldwell extended an invitation to the Board of Education at 5:00 p.m. She said they have been awarded two R.O.T.C. Programs. She said it is a real honor for them to come from Washington to present the awards. They have worked hard and seven years ago Washington did not know where DeSoto County, Mississippi was located. We invited them to come and visit and they loved it here. She said the Marines will present two programs.

**12. Chancery Clerk Sluggo Davis requested adding Rolling Hills LLC Tax Appeal**

Supervisor Jessie Medlin made the motion and Supervisor Harvey Lee seconded the motion to reopen the public hearing.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

Piet Zee of the Tax Assessor’s Office said this issue is already resolved. It is a section 8 apartment complex and he explained the new value to the representative.

Board Attorney Tony Nowak said this change would need to be included on the final tax roll.

Supervisor Bill Russell made the motion and Supervisor Jessie Medlin seconded the motion to close the public hearing.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

**H. CONSENT AGENDA**

The Board of Supervisors considered the following items on the meeting’s Consent Agenda as follows:

**1. Dept. of Human Resources: Monthly Health Claims**

The following is a recap of all insurance claims funded for the month of July and paid to Humana:

Funding Request	Date Paid	Amount	Claim Type
Date			
7/1/12	7/2/13	\$81,237.29	Administration Fees
7/2/13	7/3/13	\$41,406.84	Medical
7/2/13	7/3/13	\$4,101.50	Dental
7/2/13	7/3/13	\$12,944.77	Pharmacy
7/8/13	7/9/13	\$61,324.16	Medical
7/8/13	7/9/13	\$6,721.75	Dental
7/8/13	7/9/13	\$8,840.90	Pharmacy
7/15/13	7/17/13	\$62,817.76	Medical
7/15/13	7/17/13	\$5,839.65	Dental
7/15/13	7/17/13	\$15,709.27	Pharmacy
7/22/13	7/23/13	\$36,431.38	Medical
7/22/13	7/23/13	\$6,606.80	Dental
7/22/13	7/23/13	\$11,460.25	Pharmacy
7/29/13	7/30/13	\$87,929.59	Medical
7/29/13	7/30/13	\$8,297.75	Dental
7/29/13	7/30/13	\$16,576.39	Pharmacy
	TOTAL	\$468,246.05	

**2. Justice Court Report**

**Monthly Report**

Criminal Cases Filed 132

Civil Cases Filed	623
Traffic Tickets Filed	1,451
Total Cases Filed	2,206
State Assessments	\$85,727.69
County General Fund	\$123,967.80
Total Collections	\$209,695.49

3. Bailiff Pay

Liz Medlin	\$325.00
Chris Plumlee	\$ 95.00
Brandon Hylander	\$395.00
Bobby Holloway	\$215.00

4. Publication of Board Proceedings

5. Office of Finance & Accounting

a. Budget Amendments

b. Request for Transfer Sheriff Seized Funds

Case #	Defendant	Date Seized	Receipt #	Amount	Date of Forfeiture
2012-29613	Kendrick Cain	6/27/12	26526	\$348.00	7/15/13
2013-29732	Willie Cowans	7/1/13	27934	\$387.00	7/31/13
			TOTAL	\$735.00	

c. Inventory Dispositions – Final

1) Sheriff’s Dept. – Declaration of Forfeitures

AGENCY	CASE #		DATE DECLARED	MFGR	YEAR	DESCRIPTION	SERIAL #	VALUE
SID	2013-26298	TIFFANY MARTINEZ	07/15/13	GM	2006	PONTIAC G6 (WHITE)	1G2ZG558664162476	4499.00
COUNTY ASSET #43449								
T210-L227-F120-D200								
SID	2012-29613	KENDRICK CAIN	04/19/13	CHEV	2003	CHEVROLET PICK-UP TRUCK (WHITE)	2GCEC19X231109622	2346.00
COUNTY ASSET #43450								
T250-L227-F120-D200								

2) Chancery Land Records

ASSET #	DESCRIPTION	SERIAL #	ISSUE/REASON FOR DISPOSAL	Y R A C Q	C O S T	LOCATION AT PRELIMINARY	PRELIMINARY APPROVAL DATE	DISPOSED OF BY	FINAL DISPOSAL LOCATION
41278	EPSON TM-U295P POS PRINTER	SJ9NF003934	BROKEN-WARRANTY EXPIRED-COST TOO MUCH TO REPAIR	10	3H	CHANCERY LAND REC ROOM	07/15/13	JEFFERY BROWN	EWASTE

d. Inventory Dispositions – Preliminary & Final: Election Commission

ASSET #	DESCRIPTION	SERIAL #	ISSUE/REASON FOR DISPOSAL	Y R A C Q	C O S T	LOCATION AT PRELIMINARY
34478	AUTOMARK VOTER TERMINAL	AMO10643029 2	UNIT NOT WORKING PROPERLY / RETURNED TO COMPANY SOMETIME AGO (exact date was not known)	06	5K	MANUFACTURE COMPANY

**6. Office of Procurement: Request to Accept and Approve Bid Specifications; Seek Bids for Replacement Flooring for 2<sup>nd</sup> and 3<sup>rd</sup> Floors of the County Administration Building**

**7. Establish as Part of the Formal Record and Enter into the Board’s Minutes**

**a. State Tax Commission: Tax Assessor Recapitulation of Real and Personal Assessment Rolls of DeSoto County, MS**

**a. Road Department: Changes to Official DeSoto County Road Register & Map**

**b. Agreement to Repay Funding Between DeSoto County, MS and the DeSoto County Regional Utility Authority**

**8. Road Department: a. Road Report   b. Work Schedule   c. Road Bond Report  
d. Additions and Deletions to HMA Overlay**

**9. State Aid Engineer: Approval of State Aid Board Order for FY’14 Bridge Inspections**

**10. Chancery Clerk Allowances (2) – \$1,350.00   \$1,800.00**

**11. Tax Assessor's Office**

**a. Petition for Reduction of Assessment**

PAGE	LINE	TAX DISTRICT	OWNER	PARCEL NUMBER	IMPROVEMENTS	LAND	TOTAL	AMT OF CHANGE	REASON FOR CHANGE
5487	1	4401	Joe D. Patrick, Jr.	2081-0130-0-00314.00	1544	750	2294	1169	1
1055	8	5000	Wayne Mitchell Etux Rhonda	3069-2900.0-00001.03	0	1500	1500	500	5
4026	9	3401	Joe R. Cooper Etux Cora M.	1074-1902-0-00045.00	11352	2500	13852	979	4
2472	3	3221	Dana Burrett	1089-3002.0-00140.00	1500	6504	8004	2668	4
2446	1	3200	J. Martin Adin	1089-2900.0-00001.13	1088	2250	3338	1088	6
2369	1	4200	Adam Ammar Ammar	1088-3308.0-00066.00	6741	2250	8991	2997	4
3850	9	1300	Bethel Park LLC	2061-1113.0-00030.00	11216	3500	14716	10778	6
5594	2	5400	Remell Townes Etal	2086-2400.0-00026.04	0	1500	1500	1200	4
1076	9	5000	Erwin S. Vaughn	3071-1100.0-00006.01	0	2432	2432	1658	4
2512	7	3221	Willard Clarkson Etal	1089-3200.0-00036.05	0	2400	2400	2280	4
91	2	1000	William D. Underwood Etux	1059-3204.0-00154.00	9544	3000	12544	866	3
4024	6	2400	Delcom LLC	1074-1900.0-00014.02	29820	5186	35006	35006	4
			TOTALS CARRIED TO FORM 71-026		72805	33772	106577	61189	
Reason For Change of Assessments									
(1) Duplicate Assessment			(2) Clerical Error		(3) Calculation Error				
(4) Erroneous Assessments			(5) Incorrect Acreage		(6) Buildings were not on the land				

**b. Notice to Increase the Assessment of Real/Personal Property erroneously omitted from Tax Rolls**

Patterson Warehouse    Parcel 1183-000    Improvements 60254    Total Value 60254    Total Increase 60254

**12. Approval to sign Requisitions**

**a. Tax Collector's Office: Libby Riley and Tammy Rhoda**

**b. County Administrator, Vanessa Lynchard**

Supervisor Jessie Medlin said he noticed the bid specs for approval and he has not heard anything recently about replacing the flooring in the Administration Building. Supervisor Medlin asked if it is in the budget.

County Administrator Vanessa Lynchard said the Board budgeted to replace carpet on the second and third floor. The first floor has been completed for some time now. Ms. Lynchard said the Board does not have to accept the bids.

Supervisor Medlin said he had not heard anything about it since the last time the carpet was replaced.

Chief Financial Officer Tom Arnold said \$190,000 was budgeted to do all three floors.

Supervisor Mark Gardner asked about the budget amendment for the Sheriff to purchase vehicles.

Sheriff Rasco said the budget amendment is to purchase 10 Crown Victoria vehicles and then 10 more next year from the Missouri Highway Patrol.

Supervisor Lee Caldwell asked if there will be a need for more vehicles next year. Sheriff Rasco said yes and he hopes the vehicles will be available next year.

Sheriff Rasco invited the Board and the public to attend deputy training tomorrow at 8:00 a.m. at the old Hernando High School to see what the deputies go through.

Supervisor Lee Caldwell made the motion and Supervisor Harvey Lee seconded the motion to approve the actions set forth in Consent Agenda.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>NO</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

Supervisor Medlin said his no vote is due to the cost of the carpet replacement.

**See Exhibit H**

**I. OLD BUSINESS**

**1. State Aid Engineer – Approval of State Aid Board Orders**

**a. Bid Award for BR-0017(47)B – Nesbit Road Bridge Replacement**

State Aid Engineer Tracy Huffman presented the bid tabulation summary for project number BR-0017(47)B for the Nesbit Road Bridge Replacement project as follows:

DESOTO COUNTY STATE AID PROJECT		
BR-0017(47)B Nesbit Road Bridge Replacement		
BID TABULATION SUMMARY		
July 23, 2013		
10:00 A.M.		
Contractor	Certificate of	Total
Name	Responsibility #	Bid
Talbot Brother Contracting Co., Inc.	02174-MC & 08719-MC	\$ 391,464.60
Ferrell Paving, Inc.	05555-MC	\$ 441,530.32
JMDuncan, Inc.	16029-SC	\$ 450,781.76
Endevco, Inc.	03190-MC	\$ 480,835.25
Prairie Construction, LLC	11768	\$ 558,576.04

Mr. Huffman said five bids were received ranging from \$391,465 to \$558,576, averaging \$464,424. He said the Engineer’s estimate was \$486,424.

Mr. Huffman requested permission to award the contract to the lowest and best bid from Talbot Brothers Contracting Company, Inc. in the amount of \$391,464.60 and authorization for the Board President to execute the Contract documents upon receipt of Contract Bond and Proof of Insurance from the Contractor. The contract period is 60 working days. Additional approval of the Board Order requesting “advance credits” in State Aid Funds is required for this project.

Mr. Huffman said the road would be closed during construction and detour signs would be posted.

Supervisor Lee Caldwell asked Mr. Huffman to let the Board know when the project begins and the information can be posted on the Board of Supervisors web site.

Supervisor Bill Russell made the motion and Supervisor Lee Caldwell seconded to approve to award the contract to the lowest and best bid from Talbot Brothers Contracting Company, Inc., in the amount of \$391,464.60 for project number BR-0017(47)B for the Nesbit Road Bridge Replacement; authorization for the Board President to execute the Contract documents upon receipt of Contract Bond and Proof of Insurance from the Contractor with a contract period of 60 working days; granting permissions for Mr. Huffman to execute any documents he is required to sign.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

Supervisor Harvey Lee made the motion and Supervisor Lee Caldwell seconded the motion the motion to approve the Board Order requesting “advance credits” in State Aid Funds which is required for this project.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>

Supervisor Bill Russell, Third District

Supervisor Lee Caldwell, Fourth District

Supervisor Harvey Lee, Fifth District

YES

YES

YES

See Exhibit I.1.a

b. Bid Award for SAP-17(13)M – Getwell and Centerhill Overlay

State Aid Engineer Tracy Huffman presented the bid tabulation summary for project number SAP-17(13)M for the Getwell and Centerhill Overlay project as follows:

DESOTO COUNTY STATE AID PROJECT		
SAP - 17(13)M Centerhill & Getwell Road Overlay		
BID TABULATION SUMMARY		
July 23, 2013		
10:00 A.M.		
Contractor	Certificate of	Total
Name	Responsibility #	Bid
Lehman Roberts	00570-MC	\$ 1,321,745.67
Standard Construction	03672	\$ 1,418,945.36
APAC Tenn.	05219-MC	\$ 1,585,694.93
Superior Asphalt	N/A	No Bid

Mr. Huffman said this is for partial reconstructions on Getwell and Centerhill Roads. He said three bids were received and recommended Lehman Roberts as the best and lowest bid for the projects.

Supervisor Bill Russell asked if lanes would be closed. Mr. Huffman said construction would be done in peak hours but the work to be done in front of the schools, would not be done during peak hours.

Supervisor Harvey Lee made the motion and Supervisor Lee Caldwell seconded to award the contract to the lowest and best bid from Lehman Roberts, in the amount of \$1,321,745.67 for project number SAP-17(13)M – Getwell and Centerhill Overlay; authorization for the Board President to execute the Contract documents upon receipt of Contract Bond and Proof of Insurance from the Contractor with a contract period of 45 working days and granting permission for Mr. Huffman to execute any documents he is required to sign.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District

Supervisor Mark Gardner, Second District

Supervisor Bill Russell, Third District

Supervisor Lee Caldwell, Fourth District

Supervisor Harvey Lee, Fifth District

YES

YES

YES

YES

YES

See Exhibit I.1.b

2. Department of Road Management: Swinnea Road Design Update



DeSoto County Assistant Engineer Scott Young the County and City of Southaven are working on a project together on Swinnea Road. The plan is to connect the Swinnea Road gap between Nail Road and Church Road. The intersection at Nail Road will be realigned to move traffic more efficiently.

Mr. Young said the plans are 90% complete. The estimated total project cost is \$2,177,916.00. Construction of the new section of road will be two traveling lanes with a paved shoulder to be utilized as a bike/ped path. The road base and drainage structures will be constructed to handle a further 5-lane cross section. Mr. Young said they are still working on the bike path. He said the MOU provided for them to come back to the Board before the design was completed to discuss right of way acquisitions and construction.

Supervisor Mark Gardner said he spoke to Mr. Young last week about the project and then called Mayor Musselwhite of Southaven. Mayor Musselwhite said this item is scheduled on their agenda for tomorrow night. Supervisor Gardner said he will attend the Southaven meeting to discuss the project.

Supervisor Jessie Medlin asked how much money was set aside for the project not including right of ways. Supervisor Gardner said \$1.2 million was the County portion.

Mr. Young said they are moving the bike pathway further from the curb for safety reasons. The road base and drainage structures will be constructed to handle a future five lane cross section.

Mr. Young said this project is still under the proposed budget.

The proposed total ROW is 7.56 acres, from 4 (possibly 5) different property owners and a permanent drainage easement on one property. Landowners affected are as follows:

Gracie Baptist (LE)	1.09 ac
Frederick Baptist Estate	3.80 ac
Jimmy Hailey	0.88 ac
Jimmie D. Hailey	0.56 ac
Merchant & Farmers Parcel	1.23 ac
Drainage Easement – Sewell Property	

Supervisor Bill Russell made the motion and Supervisor Lee Caldwell seconded to approve hiring the Smith, Phillips, Mitchell, Scott and Nowak Law Firm to work on the drafting of an MOU with the City of Southaven for right of way acquisitions and road construction in relation to the Swinnea Road Design project to connect the Swinnea Road gap between Nail Road and Church Road.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

**See Exhibit I.2**

### **3. Board Attorney**

#### **a. Polk Lane ROW – Authority for the Clerk to write Settlement Checks**

Supervisor Lee Caldwell made the motion and Supervisor Harvey Lee seconded the motion to authorize the County to write the checks for Linda and Raymond Myers for \$3,100.00 and David and Raymond Myers for \$600.00 regarding the matter of right of way at the intersection of Kirk and Polk Lane.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

**See Exhibit I.3.a**

**b. Interlocal Agreement for Installation of Flood Control Measures for Hallum Estates and Cost Share Improvements with Horn Lake Creek**

Board Attorney Tony Nowak explained that Horn Lake Creek is paying one half of the total project up to \$100,000 for the work on Hallum Estates to control flooding.

Supervisor Bill Russell made the motion and Supervisor Lee Caldwell seconded the motion to approve the final Interlocal Agreement for Installation of Flood Control Measures for Hallum Estates and Cost Share Improvements with Horn Lake Creek.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

**See Exhibit I.3.b**

**J. NEW BUSINESS**

**1. Advertising County Resources**

**a. Hernando Chamber of Commerce – Request for Support for the Water Tower Festival**

Susan Fernandez of the Hernando Chamber of Commerce thanked the Board of Supervisors for their continued support of the Water Tower Festival in Hernando.

Ms. Fernandez said the attendance grew last year and they are expecting a bigger turn out this year. She said it is still held on the courthouse square and there will be music on Friday and Saturday night; arts and crafts, a car show and a 10K Run. It will be held October 11<sup>th</sup> and 12<sup>th</sup>.

Supervisor Jessie Medlin asked who the other donors were. Ms. East said they have \$40,000 in sponsorships. She said tickets for Friday night cost \$5 and Saturday night tickets cost \$15.

Supervisor Medlin said he has no problem supporting the Festival. He said \$3,500 is a lot of money for the County when we are looking \$700,000 additional money in the budget.

After having determined that the request to advertise County resources met the guidelines of the policy adopted by the Board of Supervisors, in that there will be visitors from within DeSoto County and outside of DeSoto County who will attend the event, therefore making it a perfect opportunity to advertise the County's opportunities and resources, Supervisor Harvey Lee made the motion, and Supervisor Mark Gardner seconded the motion to advertise DeSoto County Resources by contributing \$3,500 to the Hernando Chamber of Commerce to sponsor the Water Tower Festival and to authorize the clerk to write the check. In accordance with Section 17-3-3, of the Mississippi Code of 1972, the Board of Supervisors did make a determination that the above request would advertise the resources and possibilities of DeSoto County and thereby advance the moral, financial and other interests of DeSoto County.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>NO</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

**See Exhibit J.1.a**

#### **b. Fellowship of Christian Athletes Golf Tournament – Request for Support**

Mr. Cecil Sowell thanked the Board for their support of the Fellowship of Christian Athletes (FAC) Golf Tournament in the past and said the next tournament is scheduled for September 9, 2013. Mr. Sowell said that Mr. John Engstrom appeared with him last year and is here again this year on behalf of the tournament.

Mr. Engstrom said he was humbled and honored to represent the Christian Athletes and they made a very huge impact on him during his youth. He said he played ball at Ole Miss. Mr. Engstrom said the FAC depends on local contributions. Mr. Engstrom said they have had held 390 huddles throughout the state and he was honored to see Bill Buckman inducted into the Hall of Fame. He said he appreciated the past support of the Board of Supervisors.

Supervisor Bill Russell made the motion and Supervisor Lee Caldwell seconded the motion to approve an allocation \$350 to the Fellowship of Christian Athletes Golf Tournament being held September 9th, from Advertising County Resources, after having determined that the request to advertise county resources met the guidelines of the policy adopted by the Board of Supervisors, in accordance with Section 17-3-3, of the Mississippi Code of 1972, the Board of Supervisors did make a determination that the above request would advertise the resources and possibilities of DeSoto County and thereby advance the moral, financial and other interests of DeSoto County. The Board of Supervisors noted that a banner must be placed at the site of the event to advertise the resources of DeSoto County according to the approved policy.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

**See Exhibit J.1.b**

## **2. Animal Shelter**

### **a. Update on Dog Days of Summer**

Animal Services Director Monica Mock and Assistant Director Frank Rainey appeared before the Board to present results from the Dog Days of Summer Event.

Ms. Mock presented the following:

Guests – 124                      Guest Animals – 88

Adoptions – 6 Dogs & 3 Kittens

	Dogs	Cats
3:1 Vaccine	39	7
Micro-chipping	52	4
Testing	36	4

Ms. Mock said that DeSoto County Animal Services Veterinarian Dr. John Loftin was on hand so they were able to offer Rabies vaccines. Ms. Mock said they took in \$1,380.00 for the services. She said including overtime, the event expense was \$1,020.00. She said the event was well worth it and it helped many residents be able to take care of their pets at a more affordable price.

Ms. Mock said they hope to hold the event more often during the year.

**See Exhibit J.2.a**

**b. Authorize Board Attorney to work on amending the Mississippi State Veterinary Spay/Neuter Program Contract**

Frank Rainey, Assistant Director of Animal Services presented information on amending the Mississippi State Veterinary Spay/Neuter Program Contract. Mr. Rainey said this program allows students from Mississippi State to come into the County and spay and neuter animals at the Shelter. The only cost is hotels and food.

Supervisor Jessie Medlin asked who performed the service in the past. Ms. Mock said Mississippi Spay and Neuter provided the service in the past.

This new agreement would allow Mississippi State to come every two or three months. She said it is more responsible for the Shelter to adopt out animals that are already spayed and neutered.

Supervisor Lee Caldwell said it ultimately would save the public money.

Supervisor Medlin asked if the agreement would be monitored. Ms. Mock said they would be on an on call basis and come every two to three months on their fall and winter schedules. They come at their convenience, not the Shelter's convenience.

Supervisor Lee Caldwell made the motion and Supervisor Harvey Lee seconded the motion to approve hiring the Smith, Phillips, Mitchell, Scott and Nowak Law Firm to work on Mississippi State Veterinary Spay/Neuter Program Contract.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

**See Exhibit J.2.b**

**3. EMS: Consideration for Approval of MOU with the Mississippi Wireless Commission to use the MSWIN System for Radios and to appoint Tim Curtis as a "Communications Liaison Officer" and Board President to Sign Document**

Deputy Director Chris Olson said disaster and emergency communications with State Agencies and many local entities now takes place on the new MSWIN system. He said DeSoto County currently has some radios that are MSWIN capable however; they must obtain permission to use the system which would require a Memorandum of Understanding with the Mississippi Wireless Commission. Mr. Olson said there is no cost to the Board.

Mr. Olson said the MOU has been reviewed by the Board Attorney and is ready for the Board's consideration for approval today. Mr. Olson said as part of the MOU, the County must appoint a "Communications Liaison Officer" to work with the WCC in implementing the MOU. Mr. Olson said this had been discussed by Sheriff Bill Rasco and Chief Bobby Storey and they all agree that Tim Curtis be appointed as the "Communications Liaison Officer".

At the recommendation of Deputy Director Chris Olson, Supervisor Bill Russell made the motion and Supervisor Lee Caldwell seconded the motion to approve the MOU between the Mississippi Wireless Communication Commission which would allow the County to use the MSWIN emergency system at no cost to the County; and to come back to the Board if there are any changes to the MOU, particularly costs; and to appoint Tim Curtis as the “Communications Liaison Officer”.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>NO</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

**See Exhibit J.3**

#### **4. Office of Procurement – Bids Under Advisement: Emergency Outdoor Warning Sirens**

Procurement Clerk Karen McNeil said that Chief Bobby Storey is recommending purchasing five units and mounting poles for emergency outdoor warning sirens in the amount of \$129,537.00, which includes the poles and a three year warranty. The money is in their budget.

Supervisor Jessie Medlin asked if there is one for Lewisburg Schools and Cockrum, near the old school house which is being turned into a community center.

Chief Deputy Chris Olson said it includes Lewisburg Schools but he did not know about the one at Cockrum.

Supervisor Harvey Lee made the motion and Supervisor Lee Caldwell seconded the motion to approve accepting the bid from Precision Communications for 5 sirens, poles and a three year warranty in the amount of \$129,537.00; for ACI Fire station, Lewisburg Fire station, Nesbit Fire station, Buena Vista Community Center and one at the Baseball Park at Hwy 301.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

**See Exhibit J.4**

Supervisor Lee Caldwell invited everyone to the Eudora Fire Department Open House next Saturday, August 8, from 12 noon till 3:00 p.m.

#### **5. Office of Finance and Accounting**

##### **a. Inventory Dispositions – Preliminary: Sheriff’s Department – Declare Surplus**

Inventory Clerk Char McCool presented vehicles to be declared surplus for auction.

Supervisor Jessie Medlin asked how many miles were on the vehicles. Sheriff Rasco said these are seized vehicles.

Supervisor Lee Caldwell made the motion and Supervisor Harvey Lee seconded the motion to approve declaring the following seized vehicles as surplus and to auction:

ASSET #	DESCRIPTION	SERIAL #	ISSUE/REASON FOR DISPOSAL	LOCATION AT PRELIMINARY
42030	FORD 2008 F150	1FTRW12W08FB36182	SURPLUS / AUCTION	SID LOT
			FORFEITURE: 03/2012 - \$14,000.00	
42516	FORD 2002 FOCUS	3FAFP37342R192104	SURPLUS / AUCTION	SID LOT
			FORFEITURE: 02/2013 - \$5,000.00	
42870	TOYOTA 1998 TACOMA	4TAWN72N9WZ010748	SURPLUS / AUCTION	SID LOT
			FORFEITURE: 04/2013 - \$7,500.00	
42871	CADILLAC 2004 CTS	1G6DM577840180682	SURPLUS / AUCTION	SID LOT
			FORFEITURE: 04/2013 - \$7,500.00	

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

See Exhibit J.5.a

**b. Grants Administration**

**1) Sheriff’s Office – MS. Office of Highway Safety: Accept 2014 Occupational Grant & Authorize Board President to Sign Award**

Grants Administrator, Melissa Zizmann, recommended accepting the grant award for the 2014 Occupational Grant and said there is no financial obligation to the county.

Supervisor Jessie Medlin made the motion and Supervisor Lee Caldwell seconded the motion to accept the 2014 Occupation Grant from the Office of MS Highway Safety in the amount of \$24,000 effective 10/1/2013 to offset the cost of enforcing seatbelt and child restraint laws; and authorize the Board President to sign the documents.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

See Exhibit J.5.b.1

**2) EMS – Homeland Security: Accept Grant Award for DeSoto County Salaries and Authorize Board Attorney to Draft Agreement**

Ms. Zizmann said this grant is for salaries for Deputy Chief Chris Olson and Fred Randle. She said there is a drop in Mr. Randle’s salary; therefore, a new agreement must be drafted.

Board Attorney Tony Nowak said he has reviewed the agreement and the change of salary is the only revision necessary.

Supervisor Lee Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to hire the Smith, Phillips, Mitchell, Scott and Nowak Law Firm to revise the agreement to reflect the change in Fred Randle’s salary and to accept the Homeland Security Grant for DeSoto County salaries for Deputy Chief Chris Olson and Fred Randle in the amount of \$60,000.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

**See Exhibit J.5.b.2**

**3) EMS - MEMA/FEMA: Apply for Emergency Management Performance Grant FY13 (EMPG)**

Ms. Zizmann said this grant is for Emergency Management Services for one year with no match required and helps to offset EMS expenditures.

Chief Deputy Chris Olson said EMS has received this grant every year for the last 12-13 years. It aids salaries and expenditures.

Supervisor Harvey Lee made the motion and Supervisor Lee Caldwell seconded the motion to approve applying for the Emergency Management Performance Grant for FY13.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

**See Exhibit J.5.b.3**

**4) Apply for Community Foundation of Northwest Mississippi Place-based Educational Grant**

Ms. Zizmann said this grant is for educational activities and field trips for disadvantaged youth in the County who are involved in the Youth Court mentoring program. It is funded through the Community Foundation of Northwest Mississippi and the amount requested is a \$3,000 one-time donation.

Supervisor Lee Caldwell made the motion and Supervisor Harvey Lee seconded the motion to approve applying for the Community Foundation of Northwest Mississippi Place-based Educational Grant for a \$3,000 one-time donation with no county match.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

**See Exhibit J.5.b.4**

**5) Apply for AutoZone Community Relations Grant for \$10,000 to Offset Cost of**

## Earth Day 2014

Supervisor Harvey Lee made the motion and Supervisor Lee Caldwell seconded the motion to approve applying for the AutoZone Community Relations Grant for \$10,000 to Offset Cost of Earth Day 2014 with no county obligation.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

## See Exhibit J.5.b.5

### c. Claims Docket

Chief Financial Officer Tom Arnold, of the Office of Finance and Accounting, presented the claims docket to the Board. Mr. Arnold read the items on the claims docket individually and the Board discussed these items.

Mr. Arnold said there are two checks in the amount of \$34 made out to the Animal Services Director. He said one is a duplicate and will be voided.

Mr. Arnold said there is a claim on page 84 for the City of Horn Lake in the amount of \$138,706.29. He said Horn Lake was shorted the amount of taxes for rental cars over an eight year period and the state showed the company as located in the county instead of the city.

Supervisor Lee Caldwell asked about the following claims:

Page 20 – Progressive Construction of installation. This is for the old jail.

Page 27 – DeSoto County Circuit Clerk. Mr. Arnold said it is for eminent domain in the Ingram's Mill area and it is pay for jurors.

Page 83 – MS Development Authority GMS. This is the payment for the Tourism Building.

Page 90 – LeFlore County. Mr. Arnold said the county reimburses them for half the cost of exercises.

Supervisor Jessie Medlin asked about the claim to Fisher and Arnold on page 94. Environmental Services Manager Ray Laughter said this is for the environmental study at the old landfill. It determines the types of uses for the area.

Supervisor Lee Caldwell said they checked the area to see if it could be used for parks and greenways.

Supervisor Mark Gardner asked about the following claims:

Page 21 - State Treasure Fund. Mr. Arnold said the county pays the state for access to certain phone lines.

Page 26 – Supreme Court. Mr. Arnold said this is for indigent appeals in the county when people cannot pay.

Page 44 – Sheriff Aviation Aviall. Supervisor Gardner asked if the helicopters are now fully operational. Sheriff Rasco said yes. Sheriff Rasco said they have also put new radios in the helicopters to tie in with Shelby County.



Page 71 – MS Vital Records. Mr. Arnold said there is a one dollar fee for every death and birth certificate.

Page 73 – Car Quest. This is for heavy duty fans at the Animal Shelter.

Page 78 – Supervisor Gardner asked if this is the final payment for the year to Impact Missions. Mr. Arnold said yes.

Page 117 – McBride Dale Assoc. – Mr. Arnold said this is for consultant fees for the study on I-69. Planning Director Ted Garrod explained the payment structure. Mr. Garrod said there should be one more presentation at the meeting and then we would receive the final invoice.

Supervisor Mark Gardner suggested inviting the Planning Commissioners to the meeting. Mr. Garrod said the plane fare from Cincinnati to Memphis and the cost for hotel rooms should be covered.

Supervisor Lee Caldwell asked Mr. Garrod to get the cost for the trip.

Later in the meeting Mr. Garrod said the amount for the trip is approximately \$1,500.00. The final presentation and invoice and accepting documents will occur on the September 3<sup>rd</sup> meeting.

Supervisor Bill Russell made the motion and Supervisor Harvey Lee seconded the motion to approve the Board of Supervisors to attend the Planning Commission Meeting scheduled on September 3<sup>rd</sup> at 6:30 p.m. at the DeSoto County Courthouse in Hernando to review the plans and impact the corridor will have on the County.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

In accordance with Section 19-13-31 and Section 19-11-23 of the Mississippi Code Annotated, Supervisor Jessie Medlin made the motion and Supervisor Lee Caldwell seconded the motion to authorize the Chancery Clerk to pay the bills as presented by the Chief Financial Officer; deleting the duplicate check in the amount of \$34 to Monica Mock.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

## **6. Approve Mississippi State University Fixed Price Research Agreement (Compensation Survey) and Board President to Sign**

County Administrator Vanessa Lynchard said the agreement for the compensation study by Mississippi State has been reviewed by the Board Attorney and revisions were made.

Ms. Lynchard said Mississippi State would be here next week to interview employees and should have the report available to the county by October and the final report in November.

Supervisor Lee Caldwell made the motion and Supervisor Harvey Lee seconded the motion to approve the contract with Mississippi State University Fixed Price Research Agreement (Compensation Study) and the Board President to sign the document.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>NO</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>NO</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

**See Exhibit J.6**

## **7. Board Attorney**

### **a. Appointment of Special Prosecutors**

The Board of Supervisors discussed the statue in relation to the Special Prosecutors. They talked about the structure, pay, time off and other details.

Supervisor Bill Russell made the motion to give the judges authority to appoint a Special Prosecutor and to set the rate and indicate whether the time off is an absence or a recusal.

Supervisor Lee Caldwell seconded the motion and added a not to exceed amount of \$1,500 total for a month.

The motion failed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>NO</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>NO</u>
Supervisor Harvey Lee, Fifth District	<u>NO</u>

Supervisor Jessie Medlin made the motion and Supervisor Harvey Lee seconded the motion to put a policy in place making the prosecuting attorney come before the Board if a substitute is needed and to deny all future orders for payment for special prosecutors if the request is not first presented to, and approved by, the Board of Supervisors.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>NO</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

### **b. 1789 Weleetka Cove: Correct an Error in the Title**

Board Attorney Tony Nowak said during a title search at 1789 Weleetka Cove, an error in the property description was made in 1979 by the former sheriff. The property cannot be closed until the error is corrected.

Supervisor Lee Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to authorize the Smith, Phillips, Mitchell, Scott and Nowak Law Firm to work on correcting the description error on property located at 1789 Weleetka Cove in DeSoto County.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>

Supervisor Harvey Lee, Fifth District

YES

**c. Approval to Seek Attorney General's Opinion: Authority to Donate Land to Region IV**

Board Attorney Tony Nowak said that the current Attorney General's opinions vary and he would like authority to seek one in relation to land donation to Region IV.

Supervisor Bill Russell made the motion and Supervisor Harvey Lee seconded the motion to approve hiring the Smith, Phillips, Mitchell, Scott and Nowak Law Firm to seek an Attorney General's opinion in the matter of DeSoto County donating land to Region IV

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District  
Supervisor Mark Gardner, Second District  
Supervisor Bill Russell, Third District  
Supervisor Lee Caldwell, Fourth District  
Supervisor Harvey Lee, Fifth District

YES  
YES  
YES  
YES  
YES

**8. Contracts Administration**

**a. Environmental Services: Liberty Tire Recycling, LLC**

Director of Administrative Services Pat McLeod said that Liberty sent in the wrong contract originally and presented the new one for approval. It contains the language recommended by the Board Attorney.

Supervisor Harvey Lee made the motion and Supervisor Lee Caldwell seconded the motion to approve the contract with Liberty Tire for Environmental Services for waste tire recycle in DeSoto County.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District  
Supervisor Mark Gardner, Second District  
Supervisor Bill Russell, Third District  
Supervisor Lee Caldwell, Fourth District  
Supervisor Harvey Lee, Fifth District

YES  
YES  
YES  
YES  
YES

**See Exhibit J.8.a**

**b. Road Department: Digital Now, Inc.**

Supervisor Harvey Lee made the motion and Supervisor Jessie Medlin seconded the motion to approve renewing the maintenance contract with Digital Now, Inc. for one copier at the Road Department.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District  
Supervisor Mark Gardner, Second District  
Supervisor Bill Russell, Third District  
Supervisor Lee Caldwell, Fourth District  
Supervisor Harvey Lee, Fifth District

YES  
YES  
YES  
YES  
YES

**See Exhibit J.8.b**

**c. IT Department: Black Box Network Services**

This item was deleted from the Agenda.

**9. County Administrator**

**a. Tax Assessor’s Office: Contract with Bryant Appraisals for Appraisal & Mapping Services**

Supervisor Lee Caldwell made the motion and Supervisor Harvey Lee seconded the motion to approve the contract with Bryant Appraisals in the Tax Assessor’s Office required by state law allowing Mr. Bill Bryant to perform appraisals which allows DeSoto County to expend the avails of the one mill levy.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

**See Exhibit J.9.a**

**b. Committees to Update Personnel Manual**

County Administrator Vanessa Lynchard said it is time to update parts of the personnel manual for DeSoto County employees. She said they want to make sure that it is in compliance and user friendly and wanted to include the revised vehicle use policy. Mr. Nowak reminded the Board that committee meetings are subject to the provisions of the Open Meetings Act.

Supervisor Harvey Lee made the motion and Supervisor Lee Caldwell seconded the motion authorize the Personnel Manual Committees as detailed in Exhibit J.9.b to work on revisions for the personnel manual and to hire the Smith, Phillips, Mitchell, Scott and Nowak Law Firm to review the revisions to ensure it is legal.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

**See Exhibit J.9.b**

**10. Road Department**

**a. Finding of Fact – 8213 Lakeview Drive, Belmor Lakes S/D**

At the recommendation of the Road Manager, Supervisor Harvey Lee made the motion and Supervisor Lee Caldwell seconded the motion to declare the damages caused by drainage and erosion on the property located at 8213 Lakeview Drive, in Belmor Lakes Subdivision, as a health, safety and welfare issue to the citizens of DeSoto County as outlined in Mississippi code section 19-5-92.1 and to repair the damages at an estimated cost of \$4,338.00.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

See Exhibit J.10.a

**b. Dixie Creek Estates**

Road Manager Andy Swims said the developers do not want to overlay Dixie Creek Estates. Mr. Swims said once the agreement is in place, the county will accept the roads and add it to the overlay road register.

Supervisor Bill Russell made the motion and Supervisor Harvey Lee seconded the motion to hire the Smith, Phillips, Mitchell, Scott and Nowak Law Firm to work on the agreement with the developer for Dixie Creek Estates for overlaying the roads and where the money will come from.

See Exhibit J.10.b

**K. PLANNING COMMISSION AGENDA**

DeSoto County Board of Supervisors  
Planning Agenda  
August 5, 2013  
11:00 a.m.

**PUBLIC HEARING**

Supervisor Caldwell made a Motion to open a Public Hearing. Supervisor Lee seconded the Motion.

**THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:**

FIRST DISTRICT SUPERVISOR, JESSIE MEDLIN	YES
SECOND DISTRICT SUPERVISOR, MARK GARDNER	YES
THIRD DISTRICT SUPERVISOR, BILL RUSSELL	YES
FOURTH DISTRICT SUPERVISOR, LEE CALDWELL	YES
FIFTH DISTRICT SUPERVISOR, HARVEY LEE	YES

Harold Smith Rezoning (723) – Application is for approval of Rezoning of property from Agricultural-Residential (A-R) to Planned Commercial (C-4), identified as Parcel #2-06-9-32-00-0-00015-02. Subject property is located on the north side of Byhalia Road and east side of Craft Road in Section 32, Township 2, Range 6 and is zoned Agricultural (A-R). (District 5)

Mr. Tom Haysley stated the applicant has requested this item be continued until the August 19, 2013 meeting of the Board of Supervisors.

Supervisor Gardner asked if there was anyone present to speak for or against this item. There was no one.

Supervisor Lee made a Motion to continue Harold Smith Rezoning (723) until the August 19, 2013 Board of Supervisors meeting. Supervisor Medlin seconded the Motion.

**THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:**

FIRST DISTRICT SUPERVISOR, JESSIE MEDLIN	YES
SECOND DISTRICT SUPERVISOR, MARK GARDNER	YES
THIRD DISTRICT SUPERVISOR, BILL RUSSELL	YES
FOURTH DISTRICT SUPERVISOR, LEE CALDWELL	YES
FIFTH DISTRICT SUPERVISOR, HARVEY LEE	YES

Supervisor Medlin made a Motion to close a Public Hearing. Supervisor Caldwell seconded the Motion.

**THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:**

FIRST DISTRICT SUPERVISOR, JESSIE MEDLIN	YES
SECOND DISTRICT SUPERVISOR, MARK GARDNER	YES
THIRD DISTRICT SUPERVISOR, BILL RUSSELL	YES
FOURTH DISTRICT SUPERVISOR, LEE CALDWELL	YES
FIFTH DISTRICT SUPERVISOR, HARVEY LEE	YES

Supervisor Caldwell made a Motion to open a Public Hearing. Supervisor Medlin seconded the Motion.

THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:

FIRST DISTRICT SUPERVISOR, JESSIE MEDLIN	YES
SECOND DISTRICT SUPERVISOR, MARK GARDNER	YES
THIRD DISTRICT SUPERVISOR, BILL RUSSELL	YES
FOURTH DISTRICT SUPERVISOR, LEE CALDWELL	YES
FIFTH DISTRICT SUPERVISOR, HARVEY LEE	YES

Appeal

Fred Smith (1454) – The DeSoto County Board of Supervisors will consider an appeal by Mr. Fred Smith to overturn the action of the Board of Adjustment and deny approval of a Conditional Use application by Cellular South Real Estate, Inc. to allow a 300-foot-tall communications tower on the west side of Horn Lake Road and south of Nesbit Road in Section 29, Township 2, Range 8. The property is zoned Agricultural-Residential (A-R). (District 4)

Mr. Haysley stated the applicant is requesting this item be continued for six months to allow them the opportunity to explore an alternative location for the cell tower.

Mr. Terry Knight came forward and stated based on a recommendation from Supervisor Caldwell C-Spire will pursue looking at the Nesbit Fire Station site as a possible site for the cell tower. He stated a tower at this site will require a taller tower so will need a variance for the height. He stated they want to work with the County on a site for the cell tower.

Supervisor Russell asked if the applicant knows how many houses are around the Nesbit Fire Station site. Ms. Belinda Bodie stated they do not, that is the reason they are asking to have this item continued for six months to allow them the time to research this site.

Supervisor Caldwell thanked C-Spire for looking at alternative sites.

Mr. Garrod stated if a new site is found a new application need to be applied for and noticed. Ms. Bodie stated if a new site is found they will withdraw the previous application and make a new application for the alternative site.

Supervisor Caldwell made a Motion to continue the Appeal by Fred Smith until the February 18, 2014 Board of Supervisors meeting. Supervisor Lee seconded the Motion.

THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:

FIRST DISTRICT SUPERVISOR, JESSIE MEDLIN	YES
SECOND DISTRICT SUPERVISOR, MARK GARDNER	YES
THIRD DISTRICT SUPERVISOR, BILL RUSSELL	YES
FOURTH DISTRICT SUPERVISOR, LEE CALDWELL	YES
FIFTH DISTRICT SUPERVISOR, HARVEY LEE	YES

Supervisor Medlin made a Motion to close a Public Hearing. Supervisor Russell seconded the Motion.

THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:

FIRST DISTRICT SUPERVISOR, JESSIE MEDLIN	YES
SECOND DISTRICT SUPERVISOR, MARK GARDNER	YES
THIRD DISTRICT SUPERVISOR, BILL RUSSELL	YES

FOURTH DISTRICT SUPERVISOR, LEE CALDWELL  
FIFTH DISTRICT SUPERVISOR, HARVEY LEE

YES  
YES

OTHER ITEMS:

1. Design Standards Variance: Scott & Beth Haley are requesting a variance from the Design Standards Ordinance to allow a gravel parking lot at a nursery/greenhouse. Property is located at 2971 Holly Springs Rd. (District 5) and is zoned Agricultural.

Mr. Haysley presented a request for a Variance to the Design Standards made by Scott and Beth Haley to allow a gravel parking lot at a nursery/greenhouse.

Supervisor Lee stated he understood that the first 20 feet from the road would be pavement and the remainder of the parking lot would be gravel if approved. Mr. Haysley stated that he spoke with Scott Young, County Engineer, and he said that cement is not required and that the applicant could have gravel up to the right-of-way.

Ms. Beth Haley came forward and stated she and her husband would like to keep the nostalgia and feel that a gravel drive will give the country feel.

Supervisor Lee made a Motion to allow a gravel parking lot after a 20 foot paved drive off of Holly Springs Road. Supervisor Caldwell seconded the Motion.

THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:

FIRST DISTRICT SUPERVISOR, JESSIE MEDLIN	YES
SECOND DISTRICT SUPERVISOR, MARK GARDNER	YES
THIRD DISTRICT SUPERVISOR, BILL RUSSELL	YES
FOURTH DISTRICT SUPERVISOR, LEE CALDWELL	YES
FIFTH DISTRICT SUPERVISOR, HARVEY LEE	YES

Mr. Garrod stated that the County received no appeals of the FEMA Flood Insurance Rate map. He explained the appeal process.

Supervisor Gardner stated there were several homes impacted by the new FEMA maps, he asked of those how many were impacted for the first time with the new FEMA maps in the County. Mr. Garrod advised he estimated approximately 12-20 homes were affected for the first time by the new maps.

Supervisor Russell asked how public notice is given besides posting in the Courthouse. Mr. Garrod stated public notice was published in two newspapers as well as being posted in the Courthouse. Supervisor Russell asked if notification was sent individually to the affected landowners. Mr. Garrod explained FEMA's notification process.

Supervisor Caldwell made a Motion to approve the flood maps as amended. Supervisor Lee seconded the Motion.

THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:

FIRST DISTRICT SUPERVISOR, JESSIE MEDLIN	YES
SECOND DISTRICT SUPERVISOR, MARK GARDNER	YES
THIRD DISTRICT SUPERVISOR, BILL RUSSELL	YES
FOURTH DISTRICT SUPERVISOR, LEE CALDWELL	YES
FIFTH DISTRICT SUPERVISOR, HARVEY LEE	YES

Mr. Haysley presented the building permit reports for July 2013. Supervisor Lee asked if there is a report that includes the sizes of homes being built. Mr. Haysley stated that information is not included in this report, but that staff can look into getting that information. Supervisor Caldwell stated information on the size of the lots being built on would also be helpful.

**L. EXECUTIVE SESSION**

The executive session portion of these minutes is recorded under the portion of the minutes called “Executive Session”.

Supervisor Harvey Lee made the motion to recess the Board meeting until August 19, 2013 at 9:00 a.m. The motion was seconded by Supervisor Mark Gardner.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

THIS the 5<sup>th</sup> day of August, 2013, these minutes have been read and approved by the DeSoto County Board of Supervisors.

---

Mark Gardner, President  
DeSoto County Board of Supervisors